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PTO/SB/26 (09-04)

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**TERMINAL DISCLAIMER TO OBIATE A DOUBLE PATENTING
REJECTION OVER A "PRIOR" PATENT**

Docket Number (Optional)
356,660CIP1CON5
(3600-151-02)

In re Application of: BELMONT et al.

Application No.: 10/806,080

Filed: March 22, 2004

For: REACTION OF CARBON BLACK WITH DIAZONIUM SALTS, RESULTANT CARBON BLACK PRODUCTS AND THEIR USES

The owner*, Cabot Corporation, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior Patent Nos. 5,707,432; 5,851,280; 6,042,643; 6,740,151; 6,042,643; 5,900,029; and 6,740,151 as the term of said prior patents is defined in 35 U.S.C. 154 and 173, and as the term of said prior patents is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patents are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patents, "as the term of said prior patents is presently shortened by any terminal disclaimer," in the event that said prior patents later:

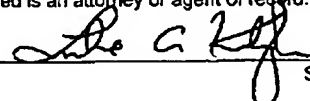
- expires for failure to pay a maintenance fee;
- is held unenforceable;
- is found invalid by a court of competent jurisdiction;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- has all claims canceled by a reexamination certificate;
- is reissued; or
- is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record. Reg. No. 33,251


Signature

June 28, 2006
Date

Luke A. Kilyk
Typed or printed name

540-428-1701
Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

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*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 1-571-273-8300 on June 28, 2006.

Kim Blum
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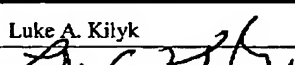
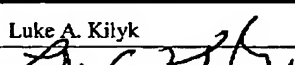
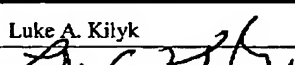
JUN 28 2006

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0851-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<p style="font-size: 0.8em;">Effective 10/01/2003. Patent fees are subject to annual revision.</p> <p><input type="checkbox"/> Applicant Claims small entity status. See 37 CFR 1.27</p> <p>TOTAL AMOUNT OF PAYMENT (\$)1,100.00</p>				Application Number		10/806,080																																																																																																																																																																																																																																																																																																																																																	
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ADDITIONAL FEES</p> <table border="1" style="width: 100%; border-collapse: collapse; font-size: 0.8em;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>1812</td><td>2,520</td><td>1812</td><td>2,520</td><td>For filing a request for ex parte reexamination</td><td></td></tr> <tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>1805</td><td>1,840*</td><td>1805</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>1251</td><td>120</td><td>2251</td><td>60</td><td>Extension for reply within first month</td><td>120.00</td></tr> <tr><td>1252</td><td>450</td><td>2252</td><td>225</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>1253</td><td>1020</td><td>2253</td><td>510</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>1254</td><td>1590</td><td>2254</td><td>795</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>1255</td><td>2160</td><td>2255</td><td>1080</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>1401</td><td>500</td><td>2401</td><td>250</td><td>Notice of Appeal</td><td></td></tr> <tr><td>1402</td><td>500</td><td>2402</td><td>250</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>1403</td><td>1000</td><td>2403</td><td>500</td><td>Request for oral hearing</td><td></td></tr> <tr><td>1451</td><td>1510</td><td>1451</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>1452</td><td>500</td><td>2452</td><td>250</td><td>Petition to revive - unavoidable</td><td></td></tr> <tr><td>1453</td><td>1500</td><td>2453</td><td>750</td><td>Petition to revive - unintentional</td><td></td></tr> <tr><td>1501</td><td>1400</td><td>2501</td><td>700</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>1502</td><td>800</td><td>2502</td><td>400</td><td>Design issue fee</td><td></td></tr> <tr><td>1503</td><td>1100</td><td>2503</td><td>550</td><td>Plant issue fee</td><td></td></tr> <tr><td>1460</td><td>130</td><td>1460</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Processing fee for provisional applications</td><td></td></tr> <tr><td>1808</td><td>180</td><td>1808</td><td>180</td><td>Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>1809</td><td>790</td><td>2809</td><td>395</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr> <tr><td>1810</td><td>790</td><td>2810</td><td>395</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr> <tr><td>1801</td><td>790</td><td>2801</td><td>395</td><td>Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>1802</td><td>900</td><td>1802</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr> <tr><td colspan="4">Other fee (specify) <u>Terminal Disclaimer</u></td><td></td><td>130.00</td></tr> <tr> <td colspan="4" style="text-align: right;">SUBTOTAL (1)</td> <td colspan="2" style="text-align: right;">(\$) 0.00</td> </tr> <tr> <td colspan="4" style="text-align: center; font-weight: bold;">2. 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Kilyk</td> <td colspan="2">Registration No. (Attorney/Agent)</td> <td colspan="2">33,251</td> </tr> <tr> <td colspan="2">Signature</td> <td colspan="2"></td> <td colspan="2">Telephone</td> <td colspan="2">1-540-428-1701</td> </tr> <tr> <td colspan="2"></td> <td colspan="2"></td> <td colspan="2">Date</td> <td colspan="2">June 28, 2006</td> </tr> </tbody> </table>				Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	1051	130	2051	65	Surcharge - late filing fee or oath		1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet		1053	130	1053	130	Non-English specification		1812	2,520	1812	2,520	For filing a request for ex parte reexamination		1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action		1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action		1251	120	2251	60	Extension for reply within first month	120.00	1252	450	2252	225	Extension for reply within second month		1253	1020	2253	510	Extension for reply within third month		1254	1590	2254	795	Extension for reply within fourth month		1255	2160	2255	1080	Extension for reply within fifth month		1401	500	2401	250	Notice of Appeal		1402	500	2402	250	Filing a brief in support of an appeal		1403	1000	2403	500	Request for oral hearing		1451	1510	1451	1,510	Petition to institute a public use proceeding		1452	500	2452	250	Petition to revive - unavoidable		1453	1500	2453	750	Petition to revive - unintentional		1501	1400	2501	700	Utility issue fee (or reissue)		1502	800	2502	400	Design issue fee		1503	1100	2503	550	Plant issue fee		1460	130	1460	130	Petitions to the Commissioner		1807	50	1807	50	Processing fee for provisional applications		1808	180	1808	180	Submission of Information Disclosure Stmt		8021	40	8021	40	Recording each patent assignment per property (times number of properties)		1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))		1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))		1801	790	2801	395	Request for Continued Examination (RCE)		1802	900	1802	900	Request for expedited examination of a design application		Other fee (specify) <u>Terminal Disclaimer</u>					130.00	SUBTOTAL (1)				(\$) 0.00		2. 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1451	1510	1451	1,510	Petition to institute a public use proceeding																																																																																																																																																																																																																																																																																																																																																			
1452	500	2452	250	Petition to revive - unavoidable																																																																																																																																																																																																																																																																																																																																																			
1453	1500	2453	750	Petition to revive - unintentional																																																																																																																																																																																																																																																																																																																																																			
1501	1400	2501	700	Utility issue fee (or reissue)																																																																																																																																																																																																																																																																																																																																																			
1502	800	2502	400	Design issue fee																																																																																																																																																																																																																																																																																																																																																			
1503	1100	2503	550	Plant issue fee																																																																																																																																																																																																																																																																																																																																																			
1460	130	1460	130	Petitions to the Commissioner																																																																																																																																																																																																																																																																																																																																																			
1807	50	1807	50	Processing fee for provisional applications																																																																																																																																																																																																																																																																																																																																																			
1808	180	1808	180	Submission of Information Disclosure Stmt																																																																																																																																																																																																																																																																																																																																																			
8021	40	8021	40	Recording each patent assignment per property (times number of properties)																																																																																																																																																																																																																																																																																																																																																			
1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))																																																																																																																																																																																																																																																																																																																																																			
1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))																																																																																																																																																																																																																																																																																																																																																			
1801	790	2801	395	Request for Continued Examination (RCE)																																																																																																																																																																																																																																																																																																																																																			
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Name (Print/Type)		Luke A. Kilyk		Registration No. (Attorney/Agent)		33,251																																																																																																																																																																																																																																																																																																																																																	
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Kim Blum

Name (Print)

Signature